



General Assembly

Substitute Bill No. 6385

January Session, 2011

* _____HB06385ED_APP032811_____*

**AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF
THE GOVERNOR CONCERNING EDUCATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (i) of section 10-217a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2011*):

4 (i) Notwithstanding the provisions of this section, for the fiscal years
5 ending June 30, 2008, to June 30, [2011] 2013, inclusive, the amount of
6 the grants payable to local or regional boards of education in
7 accordance with this section shall be reduced proportionately if the
8 total of such grants in such year exceeds the amount appropriated for
9 purposes of this section.

10 Sec. 2. Subsection (b) of section 10-281 of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective July*
12 *1, 2011*):

13 (b) Notwithstanding the provisions of this section, for the fiscal
14 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the
15 amount of the grants payable to local or regional boards of education
16 in accordance with this section shall be reduced proportionately if the
17 total of such grants in such year exceeds the amount appropriated for
18 purposes of this section.

19 Sec. 3. Subsection (d) of section 10-71 of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2011*):

22 (d) Notwithstanding the provisions of this section, for the fiscal
23 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the
24 amount of the grants payable to towns, regional boards of education or
25 regional educational service centers in accordance with this section
26 shall be reduced proportionately if the total of such grants in such year
27 exceeds the amount appropriated for the purposes of this section for
28 such year.

29 Sec. 4. Section 10-17g of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective July 1, 2011*):

31 Annually, the board of education for each local and regional school
32 district that is required to provide a program of bilingual education,
33 pursuant to section 10-17f, may make application to the State Board of
34 Education and shall thereafter receive a grant in an amount equal to
35 the product obtained by multiplying the total appropriation available
36 for such purpose by the ratio which the number of eligible children in
37 the school district bears to the total number of such eligible children
38 state-wide. The board of education for each local and regional school
39 district receiving funds pursuant to this section shall annually, on or
40 before September first, submit to the State Board of Education a
41 progress report which shall include (1) measures of increased
42 educational opportunities for eligible students, including language
43 support services and language transition support services provided to
44 such students, (2) program evaluation and measures of the
45 effectiveness of its bilingual education and English as a second
46 language programs, including data on students in bilingual education
47 programs and students educated exclusively in English as a second
48 language programs, and (3) certification by the board of education
49 submitting the report that any funds received pursuant to this section
50 have been used for the purposes specified. The State Board of
51 Education shall annually evaluate programs conducted pursuant to

52 section 10-17f. For purposes of this section, measures of the
53 effectiveness of bilingual education and English as a second language
54 programs include state-wide mastery examination results and
55 graduation and school dropout rates. Notwithstanding the provisions
56 of this section, for the fiscal years ending June 30, 2009, to June 30,
57 [2011] 2013, inclusive, the amount of grants payable to local or regional
58 boards of education under this section shall be reduced
59 proportionately if the total of such grants in such year exceeds the
60 amount appropriated for such grants for such year.

61 Sec. 5. Subsection (f) of section 10-66j of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective July*
63 *1, 2011*):

64 (f) Notwithstanding the provisions of this section, for the fiscal
65 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the
66 amount of grants payable to regional educational service centers shall
67 be reduced proportionately if the total of such grants in such year
68 exceeds the amount appropriated for such grants for such year.

69 Sec. 6. Subdivisions (2) and (3) of subsection (e) of section 10-76d of
70 the general statutes are repealed and the following is substituted in
71 lieu thereof (*Effective July 1, 2011*):

72 (2) For purposes of this subdivision, "public agency" includes the
73 offices of a government of a federally recognized Native American
74 tribe. Notwithstanding any other provisions of the general statutes, for
75 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
76 whenever a public agency, other than a local or regional board of
77 education, the State Board of Education or the Superior Court acting
78 pursuant to section 10-76h, places a child in a foster home, group
79 home, hospital, state institution, receiving home, custodial institution
80 or any other residential or day treatment facility, and such child
81 requires special education, the local or regional board of education
82 under whose jurisdiction the child would otherwise be attending
83 school or, if no such board can be identified, the local or regional board

84 of education of the town where the child is placed, shall provide the
85 requisite special education and related services to such child in
86 accordance with the provisions of this section. Within one business day
87 of such a placement by the Department of Children and Families or
88 offices of a government of a federally recognized Native American
89 tribe, said department or offices shall orally notify the local or regional
90 board of education responsible for providing special education and
91 related services to such child of such placement. The department or
92 offices shall provide written notification to such board of such
93 placement within two business days of the placement. Such local or
94 regional board of education shall convene a planning and placement
95 team meeting for such child within thirty days of the placement and
96 shall invite a representative of the Department of Children and
97 Families or offices of a government of a federally recognized Native
98 American tribe to participate in such meeting. (A) The local or regional
99 board of education under whose jurisdiction such child would
100 otherwise be attending school shall be financially responsible for the
101 reasonable costs of such special education and related services in an
102 amount equal to the lesser of one hundred per cent of the costs of such
103 education or the average per pupil educational costs of such board of
104 education for the prior fiscal year, determined in accordance with the
105 provisions of subsection (a) of section 10-76f. The State Board of
106 Education shall pay on a current basis, except as provided in
107 subdivision (3) of this subsection, any costs in excess of such local or
108 regional board's basic contributions paid by such board of education in
109 accordance with the provisions of this subdivision. (B) Whenever a
110 child is placed pursuant to this subdivision, on or after July 1, 1995, by
111 the Department of Children and Families and the local or regional
112 board of education under whose jurisdiction such child would
113 otherwise be attending school cannot be identified, the local or
114 regional board of education under whose jurisdiction the child
115 attended school or in whose district the child resided at the time of
116 removal from the home by said department shall be responsible for the
117 reasonable costs of special education and related services provided to
118 such child, for one calendar year or until the child is committed to the

119 state pursuant to section 46b-129 or 46b-140 or is returned to the child's
120 parent or guardian, whichever is earlier. If the child remains in such
121 placement beyond one calendar year the Department of Children and
122 Families shall be responsible for such costs. During the period the local
123 or regional board of education is responsible for the reasonable cost of
124 special education and related services pursuant to this subparagraph,
125 the board shall be responsible for such costs in an amount equal to the
126 lesser of one hundred per cent of the costs of such education and
127 related services or the average per pupil educational costs of such
128 board of education for the prior fiscal year, determined in accordance
129 with the provisions of subsection (a) of section 10-76f. The State Board
130 of Education shall pay on a current basis, except as provided in
131 subdivision (3) of this subsection, any costs in excess of such local or
132 regional board's basic contributions paid by such board of education in
133 accordance with the provisions of this subdivision. The costs for
134 services other than educational shall be paid by the state agency which
135 placed the child. The provisions of this subdivision shall not apply to
136 the school districts established within the Department of Children and
137 Families, pursuant to section 17a-37, the Department of Correction,
138 pursuant to section 18-99a, or the Department of Developmental
139 Services, pursuant to section 17a-240, provided in any case in which
140 special education is being provided at a private residential institution,
141 including the residential components of regional educational service
142 centers, to a child for whom no local or regional board of education
143 can be found responsible under subsection (b) of this section, Unified
144 School District #2 shall provide the special education and related
145 services and be financially responsible for the reasonable costs of such
146 special education instruction for such children. Notwithstanding the
147 provisions of this subdivision, for the fiscal years ending June 30, 2004,
148 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,
149 [and June 30, 2011] to June 30, 2013, inclusive, the amount of the grants
150 payable to local or regional boards of education in accordance with
151 this subdivision shall be reduced proportionately if the total of such
152 grants in such year exceeds the amount appropriated for the purposes
153 of this subdivision for such year.

154 (3) Payment for children who require special education and who
155 reside on state-owned or leased property or in permanent family
156 residences as defined in section 17a-154, and who are not the
157 educational responsibility of the unified school districts established
158 pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be
159 made in the following manner: The State Board of Education shall pay
160 to the school district which is responsible for providing instruction for
161 each such child pursuant to the provisions of this subsection one
162 hundred per cent of the reasonable costs of such instruction. In the
163 fiscal year following such payment, the State Board of Education shall
164 deduct from the special education grant due the local or regional board
165 of education under whose jurisdiction the child would otherwise be
166 attending school, where such board has been identified, the amount
167 for which such board would otherwise have been financially
168 responsible pursuant to the provisions of subdivision (2) of this
169 subsection. No such deduction shall be made for any school district
170 which is responsible for providing special education instruction for
171 children whose parents or legal guardians do not reside within such
172 district. The amount deducted shall be included as a net cost of special
173 education by the Department of Education for purposes of the state's
174 special education grant calculated pursuant to section 10-76g, as
175 amended by this act. A school district otherwise eligible for
176 reimbursement under the provisions of this subdivision for the costs of
177 education of a child residing in a permanent family residence shall
178 continue to be so eligible in the event that a person providing foster
179 care in such residence adopts the child. Notwithstanding the
180 provisions of this subdivision, for the fiscal years ending June 30, 2004,
181 and June 30, 2005, and for the fiscal years ending June 30, 2012, and
182 June 30, 2013, the amount of the grants payable to local or regional
183 boards of education in accordance with this subdivision shall be
184 reduced proportionately if the total of such grants in such year exceeds
185 the amount appropriated for the purposes of this subdivision for such
186 year.

187 Sec. 7. Subsection (d) of section 10-76g of the general statutes is

188 repealed and the following is substituted in lieu thereof (*Effective July*
189 *1, 2011*):

190 (d) Notwithstanding the provisions of this section, for the fiscal
191 years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal
192 years ending June 30, 2010, [and June 30, 2011] to June 30, 2013,
193 inclusive, the amount of the grants payable to local or regional boards
194 of education in accordance with this section, except grants paid in
195 accordance with subdivision (2) of subsection (a) of this section, for the
196 fiscal years ending June 30, 2006, and June 30, 2007, and for the fiscal
197 years ending June 30, 2010, [and June 30, 2011] to June 30, 2013,
198 inclusive, shall be reduced proportionately if the total of such grants in
199 such year exceeds the amount appropriated for the purposes of this
200 section for such year.

201 Sec. 8. Subsection (b) of section 10-253 of the general statutes is
202 repealed and the following is substituted in lieu thereof (*Effective July*
203 *1, 2011*):

204 (b) The board of education of the school district under whose
205 jurisdiction a child would otherwise be attending school shall be
206 financially responsible for the reasonable costs of education for a child
207 placed out by the Commissioner of Children and Families or by other
208 agencies, including, but not limited to, offices of a government of a
209 federally recognized Native American tribe, in a private residential
210 facility when such child requires educational services other than
211 special education services. Such financial responsibility shall be the
212 lesser of one hundred per cent of the costs of such education or the
213 average per pupil educational costs of such board of education for the
214 prior fiscal year, determined in accordance with subsection (a) of
215 section 10-76f. Any costs in excess of the boards' basic contribution
216 shall be paid by the State Board of Education on a current basis. The
217 costs for services other than educational shall be paid by the state
218 agency which placed the child. Application for the grant to be paid by
219 the state for costs in excess of the local or regional board of education's
220 basic contribution shall be made in accordance with the provisions of

subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, [and June 30, 2011] to June 30, 2013, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subsection for such year.

Sec. 9. Subparagraphs (E) and (F) of subdivision (3) of subsection (c) of section 10-264~~l~~ of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(E) Each interdistrict magnet school operated by (i) a regional educational service center, (ii) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (iii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iv) the Board of Trustees for The University of Connecticut on behalf of the university, (v) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, (vi) cooperative arrangements pursuant to section 10-158a, and (vii) any other third-party not-for-profit corporation approved by the commissioner that enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil grant in the amount of (I) nine thousand six hundred ninety-five dollars for the fiscal year ending June 30, 2010, and (II) ten thousand four hundred forty-three dollars for the fiscal [year] years ending June 30, 2011, to June 30, 2013, inclusive.

(F) Each interdistrict magnet school operated by the Hartford school district, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil grant for each enrolled student who is not a resident of the district in the amount of (i) twelve thousand dollars for the fiscal year ending June 30, 2010, and

254 (ii) thirteen thousand fifty-four dollars for the fiscal [year] years ending
255 June 30, 2011, to June 30, 2013, inclusive.

256 Sec. 10. Subsection (o) of section 10-264l of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective July*
258 *1, 2011*):

259 (o) For the school years commencing July 1, 2009, [and July 1, 2010]
260 to July 1, 2012, inclusive, the Hartford school district shall not charge
261 tuition for any student enrolled in an interdistrict magnet school
262 operated by such school district.

263 Sec. 11. (*Effective July 1, 2011*) The RESC Alliance shall study issues
264 relating to the feasibility and implementation of regional school
265 transportation services and a uniform school calendar. Not later than
266 October 15, 2011, the RESC Alliance shall submit a report of its
267 findings and recommendations to the Governor in accordance with the
268 provisions of section 11-4a of the general statutes.

269 Sec. 12. (*Effective July 1, 2011*) The Commissioner of Education, in
270 consultation with the Commissioner of Social Services, shall develop a
271 plan to integrate child day care services administered by the
272 Department of Social Services offered as part of a school readiness
273 program into the school readiness programs administered by the
274 Department of Education. Such plan shall address program eligibility,
275 slot rates and program requirements. Not later than July 1, 2012, the
276 Commissioner of Education shall submit such plan, with any findings
277 and recommendations, to the Governor.

278 Sec. 13. Section 10-266aa of the general statutes is repealed and the
279 following is substituted in lieu thereof (*Effective July 1, 2011*):

280 (a) As used in this section:

281 (1) "Receiving district" means any school district that accepts
282 students under the program established pursuant to this section;

283 (2) "Sending district" means any school district that sends students it
284 would otherwise be legally responsible for educating to another school
285 district under the program; and

286 (3) "Minority students" means students who are "pupils of racial
287 minorities", as defined in section 10-226a.

288 (b) There is established, within available appropriations, an
289 interdistrict public school attendance program. The purpose of the
290 program shall be to: (1) Improve academic achievement; (2) reduce
291 racial, ethnic and economic isolation or preserve racial and ethnic
292 balance; and (3) provide a choice of educational programs. [for
293 students enrolled in the public schools.] The Department of Education
294 shall provide oversight for the program, including the setting of
295 reasonable limits for the transportation of students participating in the
296 program, and may provide for the incremental expansion of the
297 program for the school year commencing in 2000 for each town
298 required to participate in the program pursuant to subsection (c) of
299 this section.

300 (c) The program shall be phased in as provided in this subsection.
301 (1) For the school year commencing in 1998, and for each school year
302 thereafter, the program shall be in operation in the Hartford, New
303 Haven and Bridgeport regions. The Hartford program shall operate as
304 a continuation of the program described in section 10-266j. Students
305 who reside in Hartford, New Haven or Bridgeport may attend school
306 in another school district in the region and students who reside in such
307 other school districts may attend school in Hartford, New Haven or
308 Bridgeport, provided, beginning with the 2001-2002 school year, the
309 proportion of students who are not minority students to the total
310 number of students leaving Hartford, Bridgeport or New Haven to
311 participate in the program shall not be greater than the proportion of
312 students who were not minority students in the prior school year to
313 the total number of students enrolled in Hartford, Bridgeport or New
314 Haven in the prior school year. The regional educational service center
315 operating the program shall make program participation decisions in

316 accordance with the requirements of this subdivision. (2) For the
317 school year commencing in 2000, and for each school year thereafter,
318 the program shall be in operation in New London, provided beginning
319 with the 2001-2002 school year, the proportion of students who are not
320 minority students to the total number of students leaving New London
321 to participate in the program shall not be greater than the proportion
322 of students who were not minority students in the prior year to the
323 total number of students enrolled in New London in the prior school
324 year. The regional educational service center operating the program
325 shall make program participation decisions in accordance with this
326 subdivision. (3) The Department of Education may provide, within
327 available appropriations, grants for the fiscal year ending June 30,
328 2003, to the remaining regional educational service centers to assist
329 school districts in planning for a voluntary program of student
330 enrollment in every priority school district, pursuant to section 10-
331 266p, which is interested in participating in accordance with this
332 subdivision. For the school year commencing in 2003, and for each
333 school year thereafter, the voluntary enrollment program may be in
334 operation in every priority school district in the state. Students from
335 other school districts in the area of a priority school district, as
336 determined by the regional educational service center pursuant to
337 subsection (d) of this section, may attend school in the priority school
338 district, provided such students bring racial, ethnic and economic
339 diversity to the priority school district and do not increase the racial,
340 ethnic and economic isolation in the priority school district.

341 (d) School districts which received students from New London
342 under the program during the 2000-2001 school year shall allow such
343 students to attend school in the district until they graduate from high
344 school. The attendance of such students in such program shall not be
345 supported by grants pursuant to subsections (f) and (g) of this section
346 but shall be supported, in the same amounts as provided for in said
347 subsections, by interdistrict cooperative grants pursuant to section 10-
348 74d to the regional educational service centers operating such
349 programs.

350 (e) Once the program is in operation in the region served by a
351 regional educational service center pursuant to subsection (c) of this
352 section, the Department of Education shall provide an annual grant to
353 such regional educational service center to assist school districts in its
354 area in administering the program and to provide staff to assist
355 students participating in the program to make the transition to a new
356 school and to act as a liaison between the parents of such students and
357 the new school district. Each regional educational service center shall
358 determine which school districts in its area are located close enough to
359 a priority school district to make participation in the program feasible
360 in terms of student transportation pursuant to subsection (f) of this
361 section, provided any student participating in the program prior to
362 July 1, 1999, shall be allowed to continue to attend the same school
363 such student attended prior to said date in the receiving district until
364 the student completes the highest grade in such school. Each regional
365 educational service center shall convene, annually, a meeting of
366 representatives of such school districts in order for such school
367 districts to report, by March thirty-first, the number of spaces available
368 for the following school year for out-of-district students under the
369 program. Annually, each regional educational service center shall
370 provide a count of such spaces to the Department of Education by
371 April fifteenth. If there are more students who seek to attend school in
372 a receiving district than there are spaces available, the regional
373 educational service center shall assist the school district in determining
374 attendance by the use of a lottery or lotteries designed to preserve or
375 increase racial, ethnic and economic diversity, except that the regional
376 educational service center shall give preference to siblings and to
377 students who would otherwise attend a school that has lost its
378 accreditation by the New England Association of Schools and Colleges
379 or has been identified as in need of improvement pursuant to the No
380 Child Left Behind Act, P.L. 107-110. The admission policies shall be
381 consistent with section 10-15c and this section. No receiving district
382 shall recruit students under the program for athletic or extracurricular
383 purposes. Each receiving district shall allow out-of-district students it
384 accepts to attend school in the district until they graduate from high

385 school.

386 (f) [The] Except as provided in section 12 of this act, the Department
387 of Education shall provide grants to regional educational service
388 centers or local or regional boards of education for the reasonable cost
389 of transportation for students participating in the program. For the
390 fiscal year ending June 30, 2003, and each fiscal year thereafter, the
391 department shall provide such grants within available appropriations,
392 provided the state-wide average of such grants does not exceed an
393 amount equal to three thousand two hundred fifty dollars for each
394 student transported, except that the Commissioner of Education may
395 grant to regional educational service centers additional sums from
396 funds remaining in the appropriation for such transportation services
397 if needed to offset transportation costs that exceed such maximum
398 amount. The regional educational service centers shall provide
399 reasonable transportation services to high school students who wish to
400 participate in supervised extracurricular activities. For purposes of this
401 section, the number of students transported shall be determined on
402 September first of each fiscal year.

403 (g) [The] (1) Except as provided in subdivision (2) of this subsection,
404 the Department of Education shall provide, within available
405 appropriations, an annual grant to the local or regional board of
406 education for each receiving district in an amount not to exceed two
407 thousand five hundred dollars for each out-of-district student who
408 attends school in the receiving district under the program.

409 (2) For the fiscal year ending June 30, 2012, and each fiscal year
410 thereafter, the department shall provide, within available
411 appropriations, an annual grant to the local or regional board of
412 education for each receiving district that assists the state in meeting the
413 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William
414 A. O'Neill, et al., as determined by the commissioner, in an amount
415 equal to (A) three thousand dollars for each out-of-district student who
416 attends school in the receiving district under the program if the
417 number of such out-of-district students is less than two per cent of the

418 total student population of such receiving district, (B) four thousand
419 dollars for each out-of-district student who attends school in the
420 receiving district under the program if the number of such out-of-
421 district students is greater than or equal to two per cent but less than
422 three per cent of the total student population of such receiving district,
423 and (C) six thousand dollars for each out-of-district student who
424 attends school in the receiving district under the program if the
425 number of such out-of-district students is greater than or equal to three
426 per cent of the total student population of such receiving district,
427 except the Commissioner of Education may increase the grant amounts
428 to receiving districts under this subdivision if the commissioner
429 determines that doing so would assist the state in meeting the goals of
430 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
431 O'Neill, et al.

432 (3) Each town which receives funds pursuant to this subsection shall
433 make such funds available to its local or regional board of education in
434 supplement to any other local appropriation, other state or federal
435 grant or other revenue to which the local or regional board of
436 education is entitled.

437 (h) Notwithstanding any provision of this chapter, each sending
438 district and each receiving district shall divide the number of children
439 participating in the program who reside in such district or attend
440 school in such district by two for purposes of the counts for
441 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)
442 of section 10-261.

443 (i) In the case of an out-of-district student who requires special
444 education and related services, the sending district shall pay the
445 receiving district an amount equal to the difference between the
446 reasonable cost of providing such special education and related
447 services to such student and the amount received by the receiving
448 district pursuant to subsection (g) of this section and in the case of
449 students participating pursuant to subsection (d) of this section, the
450 per pupil amount received pursuant to section 10-74d. The sending

451 district shall be eligible for reimbursement pursuant to section 10-76g,
452 as amended by this act.

453 (j) Nothing in this section shall prohibit school districts from
454 charging tuition to other school districts that do not have a high school
455 pursuant to section 10-33.

456 (k) On or before October fifteenth of each year, the Commissioner of
457 Education shall determine if the enrollment in the program pursuant
458 to subsection (c) of this section for the fiscal year is below the number
459 of students for which funds were appropriated. If the commissioner
460 determines that the enrollment is below such number, the additional
461 funds shall not lapse but shall be used by the commissioner in
462 accordance with this subsection.

463 (1) Any amount up to five hundred thousand dollars of such
464 nonlapsing funds shall be used for supplemental grants to receiving
465 districts on a pro rata basis for each out-of-district student in the
466 program pursuant to subsection (c) of this section who attends the
467 same school in the receiving district as at least nine other such out-of-
468 district students, not to exceed one thousand dollars per student.

469 (2) Any amount equal to or greater than five hundred thousand
470 dollars, and in an amount determined by the commissioner, of such
471 nonlapsing funds shall be used for supplemental grants to receiving
472 districts on a pro rata basis that report to the commissioner on or
473 before March first of the current school year that the number of out-of-
474 district students enrolled in such receiving district is greater than the
475 number of out-of-district students enrolled in such receiving district
476 from the previous school year.

477 (3) Any remaining nonlapsing funds, in an amount to be
478 determined by the commissioner, shall be used by the commissioner to
479 increase enrollment in the interdistrict public school attendance
480 program described in this section.

481 ~~[(2)]~~ (4) Any remaining nonlapsing funds shall be used for

482 interdistrict cooperative grants pursuant to section 10-74d.

483 (l) For purposes of the state-wide mastery examinations under
484 section 10-14n, students participating in the program established
485 pursuant to this section shall be considered residents of the school
486 district in which they attend school.

487 (m) Within available appropriations, the commissioner may make
488 grants to regional education service centers which provide summer
489 school educational programs approved by the commissioner to
490 students participating in the program.

491 (n) The Commissioner of Education may provide grants for children
492 in the Hartford program described in this section to participate in
493 preschool and all day kindergarten programs. In addition to the
494 subsidy provided to the receiving district for educational services,
495 such grants may be used for the provision of before and after-school
496 care and remedial services for the preschool and kindergarten students
497 participating in the program.

498 (o) Within available appropriations, the commissioner may make
499 grants for academic student support for programs pursuant to this
500 section that assist the state in meeting the goals of the 2008 stipulation
501 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as
502 determined by the commissioner.

503 Sec. 14. (NEW) (*Effective July 1, 2011*) (a) For purposes of this section,
504 "school choice program" means (1) an interdistrict magnet school
505 operating pursuant to section 10-264l of the general statutes, as
506 amended by this act, (2) the open choice program pursuant to section
507 10-266aa of the general statutes, as amended by this act, (3) a regional
508 vocational-technical school, (4) a regional agricultural science and
509 technology education center, or (5) an innovational school that assists
510 the state in meeting the goals of the 2008 stipulation and order for Milo
511 Sheff, et al. v. William A. O'Neill, et al.

512 (b) The Department of Education shall provide transportation

513 grants to (1) a local or regional board of education, (2) a regional
514 educational service center, (3) the Board of Trustees of the
515 Community-Technical Colleges on behalf of Quinebaug Valley
516 Community College, (4) a cooperative arrangement pursuant to section
517 10-158a of the general statutes, (5) the Board of Trustees of the
518 Community-Technical Colleges on behalf of a regional community-
519 technical college, (6) the Board of Trustees of the Connecticut State
520 University System on behalf of a state university, (7) the Board of
521 Trustees for The University of Connecticut on behalf of the university,
522 (8) the board of governors for an independent college or university, as
523 defined in section 10a-37 of the general statutes, or the equivalent of
524 such a board, on behalf of the independent college or university, and
525 (9) any other third-party not-for-profit corporation approved by the
526 commissioner, which transports a child to an eligible out-of-district
527 school choice program to assist the state in meeting the goals of the
528 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
529 al., as determined by the commissioner.

530 (c) The amount of such grant shall not exceed an amount equal to
531 the number of such children transported multiplied by three thousand
532 two hundred fifty dollars.

533 (d) Grants under this section shall be contingent on documented
534 costs of providing such transportation. Eligible entities identified in
535 subdivision (1) of subsection (b) of this section shall submit
536 applications for grants under this section to the Commissioner of
537 Education in such form and at such times as the commissioner
538 prescribes. Grants pursuant to this section shall be paid as follows: In
539 October one-half of the estimated eligible transportation cost and the
540 balance of such cost in May.

541 Sec. 15. Section 10-264i of the general statutes is repealed and the
542 following is substituted in lieu thereof (*Effective July 1, 2011*):

543 (a) (1) (A) A local or regional board of education, (B) regional
544 educational service center, (C) the Board of Trustees of the

545 Community-Technical Colleges on behalf of Quinebaug Valley
546 Community College, or (D) cooperative arrangement pursuant to
547 section 10-158a, [or (E) to assist the state in meeting the goals of the
548 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
549 al., as determined by the Commissioner of Education, (i) the Board of
550 Trustees of the Community-Technical Colleges on behalf of a regional
551 community-technical college, (ii) the Board of Trustees of the
552 Connecticut State University System on behalf of a state university, (iii)
553 the Board of Trustees for The University of Connecticut on behalf of
554 the university, (iv) the board of governors for an independent college
555 or university, as defined in section 10a-37, or the equivalent of such a
556 board, on behalf of the independent college or university, and (v) any
557 other third-party not-for-profit corporation approved by the
558 commissioner] which transports a child to an interdistrict magnet
559 school program, as defined in section 10-264l, as amended by this act,
560 in a town other than the town in which the child resides shall be
561 eligible pursuant to section 10-264e to receive a grant for the cost of
562 transporting such child in accordance with this section.

563 (2) [Except as provided in subdivisions (3) and (4) of this subsection,
564 the] The amount of such grant shall not exceed an amount equal to the
565 number of such children transported multiplied by one thousand three
566 hundred dollars.

567 [(3) For districts assisting the state in meeting the goals of the 2008
568 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
569 as determined by the commissioner, (i) for the fiscal year ending June
570 30, 2010, the amount of such grant shall not exceed an amount equal to
571 the number of such children transported multiplied by one thousand
572 four hundred dollars, and (ii) for the fiscal year ending June 30, 2011,
573 the amount of such grant shall not exceed an amount equal to the
574 number of such children transported multiplied by two thousand
575 dollars.

576 (4) For the fiscal years ending June 30, 2009, and June 30, 2010, in
577 addition to the grants otherwise provided pursuant to this section, the

578 Commissioner of Education may provide supplemental transportation
579 grants to regional educational service centers for the purposes of
580 transportation to interdistrict magnet schools. Any such grant shall be
581 provided within available appropriations and after the commissioner
582 has reviewed and approved the total interdistrict magnet school
583 transportation budget for a regional education service center,
584 including all revenue and expenditure estimates. For the fiscal year
585 ending June 30, 2010, in addition to the grants otherwise provided
586 pursuant to this section, the Commissioner of Education, with the
587 approval of the Secretary of the Office of Policy and Management, may
588 provide supplemental transportation grants to the Hartford school
589 district and the Capitol Region Education Council for the purposes of
590 transportation of students who are not residents of Hartford to
591 interdistrict magnet schools operated by the Capitol Region Education
592 Council or the Hartford school district.]

593 [(5)] (3) The Department of Education shall provide such grants
594 within available appropriations. Nothing in this subsection shall be
595 construed to prevent a local or regional board of education, regional
596 educational service center or cooperative arrangement from receiving
597 reimbursement under section 10-266m, as amended by this act, for
598 reasonable transportation expenses for which such board, service
599 center or cooperative arrangement is not reimbursed pursuant to this
600 section.

601 (b) Grants under this section shall be contingent on documented
602 costs of providing such transportation. Eligible entities identified in
603 subdivision (1) of subsection (a) of this section shall submit
604 applications for grants under this section to the Commissioner of
605 Education in such form and at such times as he prescribes. Grants
606 pursuant to this section shall be paid as follows: In October one-half of
607 the estimated eligible transportation costs and the balance of such costs
608 in May.

609 (c) Each eligible entity identified in subdivision (1) of subsection (a)
610 of this section participating in the grant program shall prepare a

611 financial statement of expenditures which shall be submitted to the
612 Department of Education on or before September first of the fiscal year
613 immediately following each fiscal year in which the school district,
614 regional educational service center or cooperative arrangement
615 participates in the grant program. Based on such statement, any
616 underpayment or overpayment may be calculated and adjusted by the
617 Department of Education in the grant for any subsequent year.

618 Sec. 16. Subsection (a) of section 10-266m of the general statutes is
619 repealed and the following is substituted in lieu thereof (*Effective July*
620 *1, 2011*):

621 (a) A local or regional board of education providing transportation
622 in accordance with the provisions of sections 10-54, 10-66ee, 10-97, 10-
623 158a, 10-273a, 10-277 and 10-281, as amended by this act, shall be
624 reimbursed for a percentage of such transportation costs as follows:

625 (1) The percentage of pupil transportation costs reimbursed to a
626 local board of education shall be determined by (A) ranking each town
627 in the state in descending order from one to one hundred sixty-nine
628 according to such town's adjusted equalized net grand list per capita,
629 as defined in section 10-261; (B) based upon such ranking, and
630 notwithstanding the provisions of section 2-32a, (i) except as otherwise
631 provided in this subparagraph, a percentage of zero shall be assigned
632 to towns ranked from one to thirteen and a percentage of not less than
633 zero nor more than sixty shall be determined for the towns ranked
634 from fourteen to one hundred sixty-nine on a continuous scale, except
635 that any such percentage shall be increased by twenty percentage
636 points in accordance with section 10-97, where applicable, and (ii) for
637 the fiscal year ending June 30, 1997, and for each fiscal year thereafter,
638 a percentage of zero shall be assigned to towns ranked from one to
639 seventeen and a percentage of not less than zero nor more than sixty
640 shall be determined for the towns ranked from eighteen to one
641 hundred sixty-nine on a continuous scale.

642 (2) The percentage of pupil transportation costs reimbursed to a

643 regional board of education shall be determined by its ranking. Such
644 ranking shall be determined by (A) multiplying the total population, as
645 defined in section 10-261, of each town in the district by such town's
646 ranking, as determined in subdivision (1) of this section, (B) adding
647 together the figures determined under subparagraph (A) of this
648 subdivision, and (C) dividing the total computed under subparagraph
649 (B) of this subdivision by the total population of all towns in the
650 district. The ranking of each regional board of education shall be
651 rounded to the next higher whole number and each such board shall
652 receive the same reimbursement percentage as would a town with the
653 same rank, provided such percentage shall be increased in the case of a
654 secondary regional school district by an additional five percentage
655 points and, in the case of any other regional school district by an
656 additional ten percentage points.

657 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
658 this section, for the fiscal year ending June 30, 1997, and for each fiscal
659 year thereafter, no local or regional board of education shall receive a
660 grant of less than one thousand dollars.

661 (4) Notwithstanding the provisions of this section, for the fiscal
662 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the
663 amount of transportation grants payable to local or regional boards of
664 education shall be reduced proportionately if the total of such grants in
665 such year exceeds the amount appropriated for such grants for such
666 year.

667 [(5) Notwithstanding the provisions of this section, the
668 Commissioner of Education may provide grants, within available
669 appropriations, in an amount not to exceed two thousand dollars per
670 pupil, to local and regional boards of education and regional
671 educational service centers that transport (A) out-of-district students to
672 technical high schools located in Hartford, or (B) Hartford students
673 attending a technical high school or a regional agricultural science and
674 technology education center outside of the district, to assist the state in
675 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.

676 v. William A. O'Neill, et al., as determined by the commissioner, for
677 the costs associated with such transportation.]

678 [(6)] (5) For the fiscal year ending June 30, 2012, in addition to the
679 reimbursements and grants payable under subdivisions (1) to (5),
680 inclusive, of this subsection, the Commissioner of Education shall
681 provide a grant when (A) two or more boards of education enter into a
682 cooperative agreement in accordance with section 10-158a to transport
683 students to schools operated by the boards of education during the
684 fiscal year ending June 30, 2011, and (B) such cooperative arrangement
685 results in a savings, as determined by the commissioner, over the
686 transportation costs incurred by the boards of education during the
687 fiscal year ending June 30, 2010. This grant, which shall be returned to
688 the municipalities in which the participating boards of education are
689 located in accordance with the terms of the written cooperative
690 arrangement, shall be equal to half of the difference in the amount the
691 boards of education would have been reimbursed in the fiscal year
692 ending June 30, 2012, for pupil transportation costs but for the savings
693 realized in the fiscal year ending June 30, 2011, pursuant to the
694 cooperative arrangement.

695 Sec. 17. (*Effective from passage*) (a) There is established a task force to
696 study issues relating to (1) the equalization aid grant formula set forth
697 in section 10-262h of the general statutes, (2) state grants to interdistrict
698 magnet schools and regional agricultural science and technology
699 education centers, and (3) funding issues relating to the cost of special
700 education for the state and municipalities.

701 (b) The task force shall consist of the following members:

702 (1) The Secretary of the Office of Policy and Management, or the
703 secretary's designee;

704 (2) The Commissioner of Education, or the commissioner's designee;

705 (3) The chairpersons of the joint standing committee of the General
706 Assembly having cognizance of matters relating to education;

707 (4) Three appointed by the Governor, one of whom shall be a
708 representative from the Connecticut Conference of Municipalities, one
709 of whom shall be a representative from the Connecticut Conference of
710 Small Towns and one of whom shall be a person with financial
711 expertise and experience relating to grades kindergarten to twelve,
712 inclusive;

713 (5) Two appointed by the speaker of the House of Representatives,
714 one of whom shall be a representative of the American Federation of
715 Teachers-Connecticut and one of whom shall be a representative of the
716 Connecticut Association of Boards of Education;

717 (6) Two appointed by the president pro tempore of the Senate, one
718 of whom shall be a representative of the Connecticut Education
719 Association and one of whom shall be a representative of the
720 Connecticut Association of School Business Officials;

721 (7) One appointed by the majority leader of the House of
722 Representatives who shall be a representative from the Connecticut
723 Association of Public School Superintendents;

724 (8) One appointed by the majority leader of the Senate who shall be
725 a representative from the Connecticut Association of Schools;

726 (9) One appointed by the minority leader of the House of
727 Representatives who shall be a representative from the Connecticut
728 Council of Administrators of Special Education; and

729 (10) One appointed by the minority leader of the Senate who shall
730 be a representative from the Connecticut Federation of School
731 Administrators;

732 (c) All appointments to the task force shall be made not later than
733 thirty days after the effective date of this section. Any vacancy shall be
734 filled by the appointing authority.

735 (d) The Secretary of the Office of Policy and Management, or the

736 secretary's designee shall serve as the chairpersons of the task force.
737 The chairperson shall schedule the first meeting of the task force,
738 which shall be held not later than sixty days after the effective date of
739 this section.

740 (e) The administrative staff of the Department of Education shall
741 serve as administrative staff of the task force.

742 (f) Not later than January 15, 2012, the task force shall submit a
743 report on its findings and recommendations to the Governor and the
744 joint standing committee of the General Assembly having cognizance
745 of matters relating to education, in accordance with the provisions of
746 section 11-4a of the general statutes. The task force shall terminate on
747 the date that it submits such report or January 15, 2012, whichever is
748 later.

749 Sec. 18. Section 10-262i of the general statutes is repealed and the
750 following is substituted in lieu thereof (*Effective July 1, 2011*):

751 (a) For the fiscal year ending June 30, 1990, and for each fiscal year
752 thereafter, each town shall be paid a grant equal to the amount the
753 town is entitled to receive under the provisions of section 10-262h, as
754 calculated using the data of record as of the December first prior to the
755 fiscal year such grant is to be paid, adjusted for the difference between
756 the final entitlement for the prior fiscal year and the preliminary
757 entitlement for such fiscal year as calculated using the data of record as
758 of the December first prior to the fiscal year when such grant was paid.

759 (b) The amount due each town pursuant to the provisions of
760 subsection (a) of this section shall be paid by the Comptroller, upon
761 certification of the Commissioner of Education, to the treasurer of each
762 town entitled to such aid in installments during the fiscal year as
763 follows: Twenty-five per cent of the grant in October, twenty-five per
764 cent of the grant in January and the balance of the grant in April. The
765 balance of the grant due towns under the provisions of this subsection
766 shall be paid in March rather than April to any town which has not

767 adopted the uniform fiscal year and which would not otherwise
768 receive such final payment within the fiscal year of such town.

769 (c) All aid distributed to a town pursuant to the provisions of this
770 section shall be expended for educational purposes only and shall be
771 expended upon the authorization of the local or regional board of
772 education. For the fiscal year ending June 30, 1999, and each fiscal year
773 thereafter, if a town receives an increase in funds pursuant to this
774 section over the amount it received for the prior fiscal year such
775 increase shall not be used to supplant local funding for educational
776 purposes. The budgeted appropriation for education in any town
777 receiving an increase in funds pursuant to this section shall be not less
778 than the amount appropriated for education for the prior year plus
779 such increase in funds.

780 [(d) For the fiscal years ending June 30, 2010, and June 30, 2011, the
781 budgeted appropriation for education shall be no less than the
782 budgeted appropriation for education for the fiscal year ending June
783 30, 2009, minus any reductions made pursuant to section 19 of public
784 act 09-1 of the June 19 special session, except that for the fiscal year
785 ending June 30, 2010, those districts whose number of resident
786 students for the school year commencing July 1, 2009, is lower than
787 such district's number of resident students for the school year
788 commencing July 1, 2008, may reduce such district's budgeted
789 appropriation for education by the difference in number of resident
790 students for such school years multiplied by three thousand.]

791 [(e)] (d) Notwithstanding the provisions of subsection (c) of this
792 section, for the fiscal years ending June 30, 2008, and June 30, 2009, the
793 budgeted appropriation for education in any town receiving an
794 increase in funds pursuant to this section shall be not less than the
795 amount appropriated for education for the prior year plus the
796 percentage of such increase in funds as determined under subsection
797 (f) of this section.

798 (e) For the fiscal years ending June 30, 2010, and June 30, 2011, the

799 budgeted appropriation for education shall be no less than the
800 budgeted appropriation for education for the fiscal year ending June
801 30, 2009, minus any reductions made pursuant to section 19 of public
802 act 09-1 of the June 19 special session, except that for the fiscal year
803 ending June 30, 2010, those districts with a number of resident
804 students for the school year commencing July 1, 2009, that is lower
805 than such district's number of resident students for the school year
806 commencing July 1, 2008, may reduce such district's budgeted
807 appropriation for education by the difference in number of resident
808 students for such school years multiplied by three thousand.

809 (f) For the fiscal years ending June 30, 2012, and June 30, 2013, the
810 budgeted appropriation for education shall be no less than the
811 budgeted appropriation for education for the fiscal year ending June
812 30, 2011, plus any reductions made pursuant to section 19 of public act
813 09-1 of the June 19 special session, except that (1) for the fiscal year
814 ending June 30, 2012, those districts with a number of resident
815 students for the school year commencing July 1, 2011, that is lower
816 than such district's number of resident students for the school year
817 commencing July 1, 2010, may reduce such district's budgeted
818 appropriation for education by the difference in number of resident
819 students for such school years multiplied by three thousand, and (2)
820 for the fiscal year ending June 30, 2013, those districts with a number
821 of resident students for the school year commencing July 1, 2012, that
822 is lower than such district's number of resident students for the school
823 year commencing July 1, 2011, may reduce such district's budgeted
824 appropriation for education by the difference in number of resident
825 students for such school years multiplied by three thousand.

826 [(f)] (g) (1) Except as provided for in subdivisions (2), (3) and (4) of
827 this subsection, the percentage of the increase in aid pursuant to this
828 section applicable under subsection [(e)] (d) of this section shall be the
829 average of the results of (A) (i) a town's current program expenditures
830 per resident student pursuant to subdivision (36) of section 10-262f,
831 subtracted from the highest current program expenditures per resident

832 student in this state, (ii) divided by the difference between the highest
833 current program expenditures per resident student in this state and the
834 lowest current program expenditures per resident student in this state,
835 (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, (B)
836 (i) a town's wealth pursuant to subdivision (26) of section 10-262f,
837 subtracted from the wealth of the town with the highest wealth of all
838 towns in this state, (ii) divided by the difference between the wealth of
839 the town with the highest wealth of all towns in this state and the
840 wealth of the town with the lowest wealth of all towns in this state, (iii)
841 multiplied by thirty per cent, (iv) plus fifty percentage points, and (C)
842 (i) a town's grant mastery percentage pursuant to subdivision (12) of
843 section 10-262f, subtracted from one, subtracted from one minus the
844 grant mastery percentage of the town with the highest grant mastery
845 percentage in this state, (ii) divided by the difference between one
846 minus the grant mastery percentage of the town with the highest grant
847 mastery percentage in this state and one minus the grant mastery
848 percentage of the town with the lowest grant mastery percentage in
849 this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage
850 points.

851 (2) For the fiscal year ending June 30, 2009, any town whose school
852 district is in its third year or more of being identified as in need of
853 improvement pursuant to section 10-223e, and has failed to make
854 adequate yearly progress in mathematics or reading at the whole
855 district level, the percentage determined pursuant to subdivision (1) of
856 this subsection for such town shall be increased by an additional
857 twenty percentage points.

858 (3) For the fiscal year ending June 30, 2010, any town whose school
859 district is in its third year or more of being identified as in need of
860 improvement pursuant to section 10-223e, and has failed to make
861 adequate yearly progress in mathematics or reading at the whole
862 district level, the percentage of the increase in aid pursuant to this
863 section applicable under subsection [(e)] (d) of this section shall be the
864 percentage of the increase determined under subdivision (1) of this

865 section for such town, plus twenty percentage points, or eighty per
866 cent, whichever is greater.

867 (4) Notwithstanding the provisions of this section, for the fiscal year
868 ending June 30, 2008, and each fiscal year thereafter, any town that (A)
869 is a member of a regional school district that serves only grades seven
870 to twelve, inclusive, or grades nine to twelve, inclusive, (B)
871 appropriates at least the minimum percentage of increase in aid
872 pursuant to the provisions of this section, and (C) has a reduced
873 assessment from the previous fiscal year for students enrolled in such
874 regional school district, excluding debt service for such students, shall
875 be considered to be in compliance with the provisions of this section.

876 (5) Notwithstanding any provision of the general statutes, charter,
877 special act or home rule ordinance, on or before September 15, 2007,
878 for the fiscal year ending June 30, 2008, a town may request the
879 Commissioner of Education to defer a portion of the town's increase in
880 aid over the prior fiscal year pursuant to this section to be expended in
881 the subsequent fiscal year. If the commissioner approves such request,
882 the deferred amount shall be credited to the increase in aid for the
883 fiscal year ending June 30, 2009, rather than the fiscal year ending June
884 30, 2008. Such funds shall be expended in the fiscal year ending June
885 30, 2009, in accordance with the provisions of this section. In no case
886 shall a town be allowed to defer increases in aid required to be spent
887 for education as a result of failure to make adequate yearly progress in
888 accordance with the provisions of subdivisions (2) and (3) of this
889 subsection.

890 [(g)] (h) Upon a determination by the State Board of Education that
891 a town or kindergarten to grade twelve, inclusive, regional school
892 district failed in any fiscal year to meet the requirements pursuant to
893 subsection (c), (d), [or] (e) or (f) of this section, the town or
894 kindergarten to grade twelve, inclusive, regional school district shall
895 forfeit an amount equal to two times the amount of the shortfall. The
896 amount so forfeited shall be withheld by the Department of Education
897 from the grant payable to the town in the second fiscal year

898 immediately following such failure by deducting such amount from
899 the town's equalization aid grant payment pursuant to this section,
900 except that in the case of a kindergarten to grade twelve, inclusive,
901 regional school district, the amount so forfeited shall be withheld by
902 the Department of Education from the grants payable pursuant to this
903 section to the towns which are members of such regional school
904 district. The amounts deducted from such grants to each member town
905 shall be proportional to the number of resident students in each
906 member town. Notwithstanding the provisions of this subsection, the
907 State Board of Education may waive such forfeiture upon agreement
908 with the town or kindergarten to grade twelve, inclusive, regional
909 school district that the town or kindergarten to grade twelve, inclusive,
910 regional school district shall increase its budgeted appropriation for
911 education during the fiscal year in which the forfeiture would occur by
912 an amount not less than the amount of said forfeiture or for other good
913 cause shown. Any additional funds budgeted pursuant to such an
914 agreement shall not be included in a district's budgeted appropriation
915 for education for the purpose of establishing any future minimum
916 budget requirement.

917 Sec. 19. (*Effective from passage*) (a) There is established a task force to
918 study the finance, management and enrollment structure of the
919 regional vocational-technical school system. Such study shall (1)
920 conduct a cost-benefit analysis of (A) maintaining and strengthening
921 the existing regional vocational-technical school system operated by
922 the State Board of Education, (B) developing stronger articulation
923 agreements between the regional vocational-technical school system
924 and the regional community-technical colleges, (C) transferring the
925 regional vocational-technical school system to local and regional
926 boards of education or regional educational service centers, and (D)
927 maintaining or transferring adult programs offered at the regional
928 vocational-technical schools, (2) consider the effects of maintaining the
929 existing regional vocational-technical school system or transferring the
930 regional vocational-technical school system to local and regional
931 boards of education, regional educational service centers or the

932 regional community-technical colleges on facilities, equipment and
933 personnel management of the regional vocational-technical school
934 system, and (3) compare and analyze the findings of subdivisions (1)
935 and (2) of this subsection.

936 (b) The task force shall consist of the following members:

937 (1) The Secretary of the Office of Policy and Management, or the
938 secretary's designee;

939 (2) The Commissioner of Education, or the commissioner's designee;

940 (3) The Commissioner of Economic and Community Development,
941 or the commissioner's designee;

942 (4) The chancellor of the community-technical college system, or the
943 chancellor's designee;

944 (5) The chairpersons of the joint standing committee of the General
945 Assembly having cognizance of matters relating to education;

946 (6) One appointed by the Governor who shall be a representative
947 from a regional workforce investment board;

948 (7) Two appointed by the president pro tempore of the Senate, one
949 of whom shall be a representative of the Connecticut Education
950 Association and one of whom shall be a representative of the
951 Connecticut Business and Industry Association;

952 (8) Two appointed by the speaker of the House of Representatives,
953 one of whom shall be a representative of the American Federation of
954 Teachers-Connecticut and one of whom shall be a person with
955 experience in manufacturing or a trade offered at the regional
956 vocational-technical schools or be alumni of or have served as an
957 educator at a regional vocational-technical school;

958 (9) One appointed by the majority leader of the Senate who shall be
959 a representative of the RESC Alliance;

960 (10) One appointed by the majority leader of the House of
961 Representatives who shall be a representative of the Connecticut
962 Association of School Business Officials;

963 (11) One appointed by the minority leader of the Senate who shall
964 be a representative of the Connecticut Association of Boards of
965 Education; and

966 (12) One appointed by the minority leader of the House of
967 Representatives who shall be a representative of the Connecticut
968 Association of Public School Superintendents.

969 (c) All appointments to the task force shall be made not later than
970 thirty days after the effective date of this section. Any vacancy shall be
971 filled by the appointing authority.

972 (d) The Secretary of the Office of Policy and Management, or the
973 secretary's designee, shall serve as the chairperson of the task force
974 from among the members of the task force. The chairperson shall
975 schedule the first meeting of the task force, which shall be held not
976 later than sixty days after the effective date of this section.

977 (e) The administrative staff of the Department of Education shall
978 serve as administrative staff of the task force.

979 (f) Not later than January 15, 2012, the task force shall submit a
980 report on its findings and recommendations to the joint standing
981 committee of the General Assembly having cognizance of matters
982 relating to education, in accordance with the provisions of section 11-
983 4a of the general statutes. The task force shall terminate on the date
984 that it submits such report or January 15, 2012, whichever is later.

985 Sec. 20. (NEW) (*Effective July 1, 2011*) (a) As used in this section:

986 (1) "Crandall school program" means a program offered at a public
987 school that (A) has a specialized curriculum or theme, such as art,
988 science, technology, engineering, mathematics, history, government,

989 English, world languages or preschool or full-day kindergarten, and
990 (B) is designed to promote participation in the open choice program
991 pursuant to section 10-266aa of the general statutes, as amended by
992 this act;

993 (2) "Sending district" means any school district that sends students it
994 would otherwise be legally responsible for educating to a school
995 district that offers a Crandall school program and in which such
996 students are enrolled in such program; and

997 (3) "Minority students" means students who are "pupils of racial
998 minorities", as defined in section 10-226a of the general statutes.

999 (b) For the school year commencing July 1, 2012, and each school
1000 year thereafter, the Department of Education shall, within available
1001 appropriations, establish a Crandall school program. A Crandall
1002 school program shall be available to any local or regional board of
1003 education that assists the state in meeting the goals of the 2008
1004 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

1005 (c) Any local or regional board of education seeking to participate in
1006 the Crandall school program shall submit an application for a grant for
1007 such program to the Commissioner of Education at such time and in
1008 such manner as the commissioner prescribes. In determining whether
1009 to award a grant pursuant to this section, the commissioner shall
1010 consider, but such consideration shall not be limited to, (1) whether the
1011 Crandall school program offered by the local or regional board of
1012 education reduces racial isolation, (2) whether the educational
1013 program offered through the Crandall school program is likely to
1014 increase student achievement, (3) whether the educational program
1015 offered through the Crandall school program is unique and will not
1016 adversely impact enrollment at existing interdistrict magnet schools,
1017 regional vocational-technical schools and regional agricultural science
1018 and technology education centers in the region, and (4) the proposed
1019 operating budget and funding sources for the innovation school.

1020 (d) Each local or regional board of education participating in the
1021 Crandall school program shall be eligible to receive a per pupil grant
1022 as follows: (1) Four thousand dollars for each student who is a resident
1023 of Hartford and is enrolled in a Crandall school program offered by a
1024 local or regional board of education for a school district other than the
1025 Hartford school district, provided at least twenty-five per cent of the
1026 students enrolled in such Crandall school program are students who
1027 are residents of Hartford, and (2) four thousand dollars for each
1028 student enrolled in a Crandall school program offered by the Hartford
1029 school district who is not a resident of such district, provided the
1030 number of minority students enrolled in such Crandall school program
1031 is not greater than seventy-five per cent.

1032 (e) The commissioner may, within available appropriations, provide
1033 annual operating grants to local or regional boards of education
1034 offering Crandall school programs in an amount not to exceed two
1035 hundred fifty thousand dollars for the purposes of enhancing the
1036 educational specialized curriculum or theme offered by such program.

1037 (f) Notwithstanding any provision of chapter 172 of the general
1038 statutes, each sending district and each district offering a Crandall
1039 school program shall divide the number of children participating in
1040 such program who reside in such district or attend school in such
1041 district by two for purposes of the counts for subdivision (22) of
1042 section 10-262f of the general statutes and subdivision (2) of subsection
1043 (a) of section 10-261 of the general statutes.

1044 (g) In the case of an out-of-district student enrolled in a Crandall
1045 school program who requires special education and related services,
1046 the sending district shall pay the district offering a Crandall school
1047 program an amount equal to the difference between the reasonable
1048 cost of providing such special education and related services to such
1049 student and the amount received by the receiving district pursuant to
1050 subsection (d) of this section. The sending district shall be eligible for
1051 reimbursement pursuant to section 10-76g of the general statutes, as
1052 amended by this act.

1053 (h) The department shall provide grants to local or regional boards
1054 of education offering a Crandall school program for the reasonable
1055 cost of transportation for students participating in such program. For
1056 the fiscal year ending June 30, 2013, and each fiscal year thereafter, the
1057 department shall provide such grants within available appropriations,
1058 provided the state-wide average of such grants does not exceed an
1059 amount equal to three thousand two hundred fifty dollars for each
1060 student transported. For purposes of this section, the number of
1061 students transported shall be determined on September first of each
1062 fiscal year.

1063 (i) In accordance with the provisions of subsection (l) of this section,
1064 for purposes of the state-wide mastery examinations under section 10-
1065 14n of the general statutes, students enrolled in a Crandall school
1066 program established pursuant to this section shall be considered
1067 residents of the school district in which they attend school.

1068 (j) Within available appropriations, the commissioner may make
1069 grants to local or regional boards of education offering Crandall school
1070 programs which provide summer school educational programs
1071 approved by the commissioner to students participating in such
1072 program.

1073 (k) The commissioner may provide grants for children in a Crandall
1074 school program offered by the Hartford school district to participate in
1075 preschool and full-day kindergarten programs. In addition to the
1076 subsidy provided to the district for educational services, such grants
1077 may be used for the provision of before and after-school care and
1078 remedial services for the preschool and full-day kindergarten students
1079 participating in such program.

1080 (l) Each local or regional board of education offering a Crandall
1081 school program pursuant to this section shall allow out-of-district
1082 students enrolled in such program to attend school in the district in
1083 which such program is offered until such out-of-district students
1084 graduate from high school, pursuant to section 10-266aa of the general

1085 statutes, as amended by this act.

1086 Sec. 21. Section 10-283 of the general statutes is repealed and the
1087 following is substituted in lieu thereof (*Effective July 1, 2011*):

1088 (a) (1) Each town or regional school district shall be eligible to apply
1089 for and accept grants for a school building project as provided in this
1090 chapter. Any town desiring a grant for a public school building project
1091 may, by vote of its legislative body, authorize the board of education of
1092 such town to apply to the Commissioner of Education and to accept or
1093 reject such grant for the town. Any regional school board may vote to
1094 authorize the supervising agent of the regional school district to apply
1095 to the Commissioner of Education for and to accept or reject such grant
1096 for the district. Applications for such grants under this chapter shall be
1097 made by the superintendent of schools of such town or regional school
1098 district on the form provided and in the manner prescribed by the
1099 Commissioner of Education. The application form shall require the
1100 superintendent of schools to affirm that the school district considered
1101 the maximization of natural light and the use and feasibility of wireless
1102 connectivity technology in projects for new construction and alteration
1103 or renovation of a school building. Grant applications for school
1104 building projects shall be reviewed by the Commissioner of Education
1105 on the basis of categories for building projects and standards for school
1106 construction established by the State Board of Education in accordance
1107 with this section, provided grant applications submitted for purposes
1108 of subsection (a) of section 10-65 or section 10-76e shall be reviewed
1109 annually by the commissioner on the basis of the educational needs of
1110 the applicant. Notwithstanding the provisions of this chapter, the
1111 Board of Trustees of the Community-Technical Colleges on behalf of
1112 Quinebaug Valley Community College and the following entities that
1113 will operate an interdistrict magnet school that will assist the state in
1114 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
1115 v. William A. O'Neill, et al., as determined by the commissioner, may
1116 apply for and shall be eligible to receive grants for school building
1117 projects pursuant to section 10-264h, as amended by this act, for such a

1118 school: (A) The Board of Trustees of the Community-Technical
1119 Colleges on behalf of a regional community-technical college, (B) the
1120 Board of Trustees of the Connecticut State University System on behalf
1121 of a state university, (C) the Board of Trustees for The University of
1122 Connecticut on behalf of the university, (D) the board of governors for
1123 an independent college or university, as defined in section 10a-37, or
1124 the equivalent of such a board, on behalf of the independent college or
1125 university, (D) cooperative arrangements pursuant to section 10-158a,
1126 and (E) any other third-party not-for-profit corporation approved by
1127 the commissioner.

1128 (2) Each school building project shall be assigned to a category on
1129 the basis of whether such project is primarily required to: (A) Create
1130 new facilities or alter existing facilities to provide for mandatory
1131 instructional programs pursuant to this chapter, for physical education
1132 facilities in compliance with Title IX of the Elementary and Secondary
1133 Education Act of 1972 where such programs or such compliance
1134 cannot be provided within existing facilities or for the correction of
1135 code violations which cannot be reasonably addressed within existing
1136 program space; (B) create new facilities or alter existing facilities to
1137 enhance mandatory instructional programs pursuant to this chapter or
1138 provide comparable facilities among schools to all students at the same
1139 grade level or levels within the school district unless such project is
1140 otherwise explicitly included in another category pursuant to this
1141 section; and (C) create new facilities or alter existing facilities to
1142 provide supportive services, provided in no event shall such
1143 supportive services include swimming pools, auditoriums, outdoor
1144 athletic facilities, tennis courts, elementary school playgrounds, site
1145 improvement or garages or storage, parking or general recreation
1146 areas. All applications submitted prior to July first shall be reviewed
1147 promptly by the commissioner and the amount of the grant for which
1148 such project is eligible shall be estimated, provided an application for a
1149 school building project determined by the commissioner to be a project
1150 that will assist the state in meeting the goals of the 2008 stipulation and
1151 order for Milo Sheff, et al. v. William A. O'Neill, et al., shall have until

1152 September first to submit an application for such a project and may
1153 have until December first of the same year to secure and report all local
1154 and state approvals required to complete the grant application. The
1155 commissioner shall annually prepare a listing of all such eligible school
1156 building projects listed by category together with the amount of the
1157 estimated grants therefor and shall submit the same to the Governor
1158 and the General Assembly on or before the fifteenth day of December,
1159 except as provided in section 10-283a, as amended by this act, with a
1160 request for authorization to enter into grant commitments. Each such
1161 listing submitted after December, 1995 shall include a separate
1162 schedule of authorized projects which have changed in scope or cost to
1163 a degree determined by the commissioner. Notwithstanding any
1164 provision of this chapter, no such project that has changed in scope or
1165 cost to the degree determined by the commissioner shall be eligible for
1166 reimbursement under this chapter unless it appears on such list. Each
1167 such listing submitted after December, 2005 shall include a separate
1168 schedule of authorized projects which have changed in scope or cost to
1169 a degree determined by the commissioner once, and a separate
1170 schedule of authorized projects which have changed in scope or cost to
1171 a degree determined by the commissioner twice. [On and after] Each
1172 such listing submitted after December, 2010 shall include a report on
1173 the review conducted by the commissioner of the enrollment
1174 projections for each such eligible project. For the period beginning July
1175 1, 2006, and ending June 30, 2012, no project, other than a project for a
1176 regional vocational-technical school, may appear on the separate
1177 schedule of authorized projects which have changed in cost more than
1178 twice. On and after July 1, 2012, no project may appear on the separate
1179 schedule of authorized projects which have changed in cost more than
1180 once, except the commissioner may allow a project to appear on such
1181 separate schedule of authorized projects a second time if the town or
1182 regional school district for such project can demonstrate that exigent
1183 circumstances requires such project to appear a second time on such
1184 separate schedule of authorized projects. The percentage determined
1185 pursuant to section 10-285a, as amended by this act, at the time a
1186 school building project on such schedule was originally authorized

1187 shall be used for purposes of the grant for such project. On and after
1188 July 1, 2006, a project that was not previously authorized as an
1189 interdistrict magnet school shall not receive a higher percentage for
1190 reimbursement than that determined pursuant to section 10-285a, as
1191 amended by this act, at the time a school building project on such
1192 schedule was originally authorized. The General Assembly shall
1193 annually authorize the commissioner to enter into grant commitments
1194 on behalf of the state in accordance with the commissioner's
1195 categorized listing for such projects as the General Assembly shall
1196 determine. The commissioner may not enter into any such grant
1197 commitments except pursuant to such legislative authorization. Any
1198 regional school district which assumes the responsibility for
1199 completion of a public school building project shall be eligible for a
1200 grant pursuant to subdivision (5) or (6), as the case may be, of
1201 subsection (a) of section 10-286, as amended by this act, when such
1202 project is completed and accepted by such regional school district.

1203 (3) (A) All final calculations completed by the Department of
1204 Education for school building projects authorized on or after July 1,
1205 1996, shall include a computation of the state grant for the school
1206 building project amortized on a straight line basis over a twenty-year
1207 period for school building projects with costs equal to or greater than
1208 two million dollars and over a ten-year period for school building
1209 projects with costs less than two million dollars. Any town or regional
1210 school district which abandons, sells, leases, demolishes or otherwise
1211 redirects the use of such a school building project to other than a
1212 public school use during such amortization period shall refund to the
1213 state the unamortized balance of the state grant remaining as of the
1214 date the abandonment, sale, lease, demolition or redirection occurs.
1215 The amortization period for a project shall begin on the date the project
1216 was accepted as complete by the local or regional board of education.
1217 A town or regional school district required to make a refund to the
1218 state pursuant to this subdivision may request forgiveness of such
1219 refund if the building is redirected for public use. The department
1220 shall include as an addendum to the annual school construction

1221 priority list all those towns requesting forgiveness. General Assembly
1222 approval of the priority list containing such request shall constitute
1223 approval of such request. This subdivision shall not apply to projects
1224 to correct safety, health and other code violations or to remedy
1225 certified school indoor air quality emergencies approved pursuant to
1226 subsection (b) of this section or projects subject to the provisions of
1227 section 10-285c.

1228 (B) Any moneys refunded to the state pursuant to subparagraph (A)
1229 of this subdivision shall be deposited in the state's tax-exempt
1230 proceeds fund and used not later than sixty days after repayment to
1231 pay debt service on, including redemption, defeasance or purchase of,
1232 outstanding bonds of the state the interest on which is not included in
1233 gross income pursuant to Section 103 of the Internal Revenue Code of
1234 1986, or any subsequent corresponding internal revenue code of the
1235 United States, as from time to time amended.

1236 (b) (1) Notwithstanding the application date requirements of this
1237 section, the Commissioner of Education may approve applications for
1238 grants to assist school building projects to remedy damage from fire
1239 and catastrophe, to correct safety, health and other code violations, to
1240 replace roofs, to remedy a certified school indoor air quality
1241 emergency, or, subject to the provisions of subdivision (2) of this
1242 subsection, to purchase and install portable classroom buildings at any
1243 time within the limit of available grant authorization and make
1244 payments thereon within the limit of appropriated funds, provided
1245 portable classroom building projects shall not create a new facility or
1246 cause an existing facility to be modified so that the portable buildings
1247 comprise a substantial percentage of the total facility area, as
1248 determined by the commissioner.

1249 (2) The grants to purchase and install portable classroom buildings
1250 pursuant to subdivision (1) of this subsection shall be made in
1251 accordance with the provisions of subparagraph (B) of subdivision (2)
1252 of subsection (a) of section 10-285a, as amended by this act.

1253 (c) No school building project shall be added to the list prepared by
1254 the Commissioner of Education pursuant to subsection (a) of this
1255 section after such list is submitted to the committee of the General
1256 Assembly appointed pursuant to section 10-283a, as amended by this
1257 act, unless (1) the project is for a school placed on probation by the
1258 New England Association of Schools and Colleges and the project is
1259 necessary to preserve accreditation, (2) the project is necessary to
1260 replace a school building for which a state agency issued a written
1261 notice of its intent to take the school property for public purpose, (3)
1262 [for the fiscal year ending June 30, 2002, the project is in a town
1263 operating under state governance, or (4)] it is a school building project
1264 determined by the commissioner to be a project that will assist the
1265 state in meeting the goals of the 2008 stipulation and order for Milo
1266 Sheff, et al. v. William A. O'Neill, et al. The provisions of this
1267 subsection shall not apply to projects previously authorized by the
1268 General Assembly that require special legislation to correct procedural
1269 deficiencies.

1270 (d) No application for a school building project shall be accepted by
1271 the commissioner on or after July 1, 2002, unless the applicant has
1272 secured funding authorization for the local share of the project costs
1273 prior to application. The reimbursement percentage for a project
1274 covered by this subsection shall reflect the rates in effect during the
1275 fiscal year in which such local funding authorization is secured.

1276 [(e) For each such list submitted in December, 2003, and December,
1277 2004, the total amount requested by the commissioner for grant
1278 commitments shall not exceed one billion dollars. In each such list, the
1279 commissioner shall list the categories described in subdivision (2) of
1280 subsection (a) of this section in order of priority and shall list the
1281 projects within each category in order of priority. The commissioner
1282 shall comply with the limitation on grant commitments provided for
1283 under this subsection according to such priorities. Eligible projects that
1284 cannot be included on the list shall be included first on the list
1285 submitted the next following year.]

1286 Sec. 22. Subsection (a) of section 10-284 of the general statutes is
1287 repealed and the following is substituted in lieu thereof (*Effective July*
1288 *1, 2011*):

1289 (a) The Commissioner of Education shall have authority to receive,
1290 review and approve applications for state grants under this chapter, or
1291 to disapprove any such application if (1) it does not comply with the
1292 requirements of the State Fire Marshal or the Department of Public
1293 Health, (2) it is not accompanied by a life-cycle cost analysis approved
1294 by the Commissioner of Public Works pursuant to section 16a-38, (3) it
1295 does not comply with the provisions of sections 10-290d and 10-291, (4)
1296 it does not meet the standards, requirements or school building
1297 priorities established by the State Board of Education, [or] (5) the
1298 estimated construction cost exceeds the per square foot cost for schools
1299 established by the Commissioner of Education for the county in which
1300 the project is proposed to be located, or (6) the commissioner
1301 determines that the proposed educational specifications for or theme
1302 of the project for which the applicant requests a state grant duplicates a
1303 program offered by a vocational-technical school or an interdistrict
1304 magnet school in the same region.

1305 Sec. 23. Subsection (a) of section 10-285a of the general statutes is
1306 repealed and the following is substituted in lieu thereof (*Effective July*
1307 *1, 2011*):

1308 (a) The percentage of school building project grant money a local
1309 board of education may be eligible to receive, under the provisions of
1310 section 10-286, as amended by this act, shall be determined as follows:
1311 (1) Each town shall be ranked in descending order from one to one
1312 hundred sixty-nine according to such town's adjusted equalized net
1313 grand list per capita, as defined in section 10-261; (2) based upon such
1314 ranking, a percentage of not less than forty nor more than eighty shall
1315 be determined for each town on a continuous scale, except that (A) for
1316 school building projects authorized by the General Assembly during
1317 the fiscal year ending June 30, 1991, for all such projects so authorized
1318 thereafter and for grants approved pursuant to subsection (b) of

1319 section 10-283, as amended by this act, for which application is made
1320 on and after July 1, 1991, the percentage of school building project
1321 grant money a local board of education may be eligible to receive,
1322 under the provisions of section 10-286, as amended by this act, shall be
1323 determined as follows: [(A)] (i) Each town shall be ranked in
1324 descending order from one to one hundred sixty-nine according to
1325 such town's adjusted equalized net grand list per capita, as defined in
1326 section 10-261; [(B)] (ii) based upon such ranking, a percentage of not
1327 less than twenty nor more than eighty shall be determined for each
1328 town on a continuous scale, and (B) for grants approved pursuant to
1329 subsection (b) of section 10-283, as amended by this act, for which
1330 application is made on and after July 1, 2011, the percentage of school
1331 building project grant money a local board of education may be
1332 eligible to receive, under the provisions of section 10-286, as amended
1333 by this act, shall be determined as follows: (i) Each town shall be
1334 ranked in descending order from one to one hundred sixty-nine
1335 according to such town's adjusted equalized net grand list per capita,
1336 as defined in section 10-261; and (ii) based upon such ranking, a
1337 percentage of not less than ten nor more than seventy shall be
1338 determined for new construction or replacement of a school building
1339 for each town on a continuous scale and a percentage of not less than
1340 twenty nor more than eighty shall be determined for renovations,
1341 extensions, code violations, roof replacements and major alterations of
1342 an existing school building and the new construction or replacement of
1343 a school building when a town or regional school district can
1344 demonstrate that a new construction or replacement is less expensive
1345 than a renovation, extension or major alteration of an existing school
1346 building for each town on a continuous scale.

1347 Sec. 24. Section 10-286 of the general statutes is repealed and the
1348 following is substituted in lieu thereof (*Effective July 1, 2011*):

1349 (a) The amount of the grant approved by the Commissioner of
1350 Education under the provisions of this chapter for any completed
1351 school building project shall be computed as follows:

1352 (1) For the fiscal year ending June 30, 1984, and each fiscal year
1353 thereafter, in the case of a new school plant, an extension of an existing
1354 school building or projects involving the major alteration of any
1355 existing building to be used for school purposes, the eligible
1356 percentage, as determined in section 10-285a, as amended by this act,
1357 of the result of multiplying together the number representing the
1358 highest projected enrollment, based on data acceptable to the
1359 Commissioner of Education, for such building during the eight-year
1360 period from the date a local or regional board of education files a
1361 notification of a proposed school building project with the Department
1362 of Education, the number of gross square feet per pupil determined by
1363 the Commissioner of Education to be adequate for the kind of
1364 educational program or programs intended, and the eligible cost of
1365 such project, divided by the gross square feet of such building, or the
1366 eligible percentage, as determined in section 10-285a, as amended by
1367 this act, of the eligible cost of such project, whichever is less, provided,
1368 (A) any such project on which construction was started prior to July 1,
1369 1975, shall be reimbursed under the formula in effect prior to said date,
1370 (B) any such project on which construction or payments under this
1371 chapter were started after June 30, 1975, but prior to July 31, 1983, shall
1372 be reimbursed based upon the data, submitted for each such project
1373 and accepted by the Department of Education during said period,
1374 representing the number of pupils the plant was designed to
1375 accommodate, (C) any project for which final grant calculation has
1376 been made after June 30, 1975, but prior to July 31, 1983, shall be
1377 reimbursed based upon such final calculation, and (D) any such project
1378 for which estimated grant payments were begun prior to July 31, 1983,
1379 shall be reimbursed based upon the calculation formula used in
1380 making such estimated grant payments;

1381 (2) In case of projects involving the purchase of an existing building
1382 to be used for school purposes, the eligible percentage, as determined
1383 in section 10-285a, as amended by this act, of the eligible cost as
1384 determined by the Commissioner of Education, provided any project
1385 for which an application is made on or after July 1, 1995, involving the

1386 purchase and renovation of an existing facility, may be exempt from
1387 the standard space specifications, and otherwise ineligible repairs and
1388 replacements may be considered eligible for reimbursement as part of
1389 such a project, if information is provided acceptable to the
1390 commissioner documenting the need for such work and the cost
1391 savings to the state and the school district of such purchase and
1392 renovation project in comparison to alternative construction options;

1393 (3) If any school building project described in subdivisions (1) and
1394 (2) of this subsection includes the construction, extension or major
1395 alteration of outdoor athletic facilities, tennis courts or a natatorium,
1396 gymnasium or auditorium, the grant for the construction of such
1397 outdoor athletic facilities, tennis courts and natatorium shall be limited
1398 to one-half of the eligible percentage for subdivisions (1) and (2) of the
1399 net eligible cost of construction thereof; the grant for the construction
1400 of an area of spectator seating in a gymnasium shall be one-half of the
1401 eligible percentage for subdivisions (1) and (2) of the net eligible cost of
1402 construction thereof; and the grant for the construction of the seating
1403 area in an auditorium shall be limited to one-half of the eligible
1404 percentage for subdivisions (1) and (2) of the net eligible cost of
1405 construction of the portion of such area that seats one-half of the
1406 projected enrollment of the building, as defined in subdivision (1) of
1407 this subsection, which it serves;

1408 (4) In the case of a regional agricultural science and technology
1409 education center or the purchase of equipment pursuant to subsection
1410 (a) of section 10-65 or a regional special education facility pursuant to
1411 section 10-76e, an amount equal to the eligible cost of such project, as
1412 determined by the Commissioner of Education;

1413 (5) In the case of a public school administrative or service facility,
1414 one-half of the eligible percentage for subdivisions (1) and (2) of this
1415 subsection of the eligible project cost as determined by the
1416 Commissioner of Education, or in the case of a regional educational
1417 service center administrative or service facility, the eligible percentage,
1418 as determined pursuant to subsection (c) of section 10-285a, of the

1419 eligible project cost as determined by the commissioner;

1420 (6) In the case of the total replacement of a roof or the total
1421 replacement of a portion of a roof which has existed for at least twenty
1422 years, or in the case of the total replacement of a roof or the total
1423 replacement of a portion of a roof which has existed for fewer than
1424 twenty years when it is determined by a registered architect or
1425 registered engineer that such roof was improperly designed or
1426 improperly constructed and the town is prohibited from recovery of
1427 damages or has no other recourse at law or in equity, the eligible
1428 percentage for subdivisions (1) and (2) of this subsection, of the eligible
1429 cost as determined by the Commissioner of Education. In the case of
1430 the total replacement of a roof or the total replacement of a portion of a
1431 roof which has existed for fewer than twenty years (A) when it is
1432 determined by a registered architect or registered engineer that such
1433 roof was improperly designed or improperly constructed and the town
1434 has recourse at law or in equity and recovers less than such eligible
1435 cost, the eligible percentage for subdivisions (1) and (2) of this
1436 subsection of the difference between such recovery and such eligible
1437 cost, and (B) when the roof is at least fifteen years old but less than
1438 twenty years old and it cannot be determined by a registered architect
1439 or registered engineer that such roof was improperly designed or
1440 improperly constructed, the eligible percentage for subdivisions (1)
1441 and (2) of this subsection of the eligible project costs provided such
1442 costs are multiplied by the ratio of the age of the roof to twenty years.
1443 For purposes of this subparagraph, the age of the roof shall be
1444 determined in whole years to the nearest year based on the time
1445 between the completed installation of the old roof and the date of the
1446 grant application for the school construction project for the new roof;

1447 (7) On and after July 1, 2011, in the case of a project for the purchase
1448 or replacement of a heating, ventilation or air conditioning system that
1449 would provide greater energy efficiency or reduce heating fuel costs
1450 for such town or district, at a percentage of not less than twenty nor
1451 more than eighty of the eligible cost of such project;

1452 [(7)] (8) For the fiscal year ending June 30, 1984, and for each fiscal
1453 year thereafter, in the case of projects to correct code violations, the
1454 eligible percentage, as determined in section 10-285a, as amended by
1455 this act, of the eligible cost as determined by the Commissioner of
1456 Education;

1457 [(8)] (9) In the case of a renovation project for which an application
1458 is made on or after July 1, 1995, the eligible percentage as determined
1459 in subsection (b) of section 10-285a, multiplied by the eligible costs as
1460 determined by the commissioner, provided the project may be exempt
1461 from the standard space specifications, and otherwise ineligible repairs
1462 and replacements may be considered eligible for reimbursement as
1463 part of such a project, if information is provided acceptable to the
1464 commissioner documenting the need for such work and the cost
1465 savings to the state and the school district of such renovation project in
1466 comparison to alternative construction options;

1467 [(9)] (10) In the case of projects approved to remedy certified school
1468 indoor air quality emergencies, the eligible percentage, as determined
1469 in section 10-285a, as amended by this act, of the eligible cost as
1470 determined by the Commissioner of Education;

1471 [(10)] (11) In the case of a project involving a turn-key purchase for a
1472 facility to be used for school purposes, the eligible percentage, as
1473 determined in section 10-285a, as amended by this act, of the net
1474 eligible cost as determined by the Commissioner of Education, except
1475 that for any project involving such a purchase for which an application
1476 is made on or after July 1, 2006, (A) final plans for all construction
1477 work included in the turn-key purchase agreement shall be approved
1478 by the Commissioner of Education in accordance with section 10-292,
1479 and (B) such project may be exempt from the standard space
1480 specifications, and otherwise ineligible repairs and replacements may
1481 be considered eligible for reimbursement as part of such project, if
1482 information acceptable to the commissioner documents the need for
1483 such work and that such a purchase will cost less than constructing the
1484 facility in a different manner and will result in a facility taking on a

1485 useful life comparable to that of a new facility.

1486 (b) (1) In the case of all grants computed under this section for a
1487 project which constitutes a replacement, extension or major alteration
1488 of a damaged or destroyed facility, no grant may be paid if a local or
1489 regional board of education has failed to insure its facilities and capital
1490 equipment in accordance with the provisions of section 10-220. The
1491 amount of financial loss due to any damage or destruction to any such
1492 facility, as determined by ascertaining the replacement value of such
1493 damage or destruction, shall be deducted from project cost estimates
1494 prior to computation of the grant.

1495 (2) In the case of any grants computed under this section for a
1496 school building project authorized pursuant to section 10-283, as
1497 amended by this act, after July 1, 1979, any federal funds or other state
1498 funds received for such school building project shall be deducted from
1499 project costs prior to computation of the grant.

1500 (3) The limitation on grants for new outdoor athletic facilities, tennis
1501 courts, natatorium, gymnasium and auditorium shall not apply to
1502 school building projects for which applications for review of
1503 preliminary plans and specifications on Form 2A were submitted prior
1504 to October 1, 1975, in the case of towns and prior to October 15, 1975,
1505 in the case of regional school districts.

1506 (4) Commencing with the school construction projects authorized by
1507 the General Assembly during the fiscal year ending June 30, 1985, and
1508 for all such projects so authorized thereafter, the calculation of grants
1509 pursuant to this section shall be made in accordance with the state
1510 standard space specifications in effect at the time of the final grant
1511 calculation, except that on and after July 1, 2005, in the case of a school
1512 district with an enrollment of less than one hundred fifty students in
1513 grades kindergarten to grade eight, inclusive, state standard space
1514 specifications shall not apply in the calculation of grants pursuant to
1515 this section and the Commissioner of Education may modify the
1516 standard space specifications for a project in such district.

1517 (c) In the computation of grants pursuant to this section for any
1518 school building project authorized by the General Assembly pursuant
1519 to section 10-283, as amended by this act, (1) after January 1, 1993, any
1520 maximum square footage per pupil limit established pursuant to this
1521 chapter or any regulation adopted by the State Board of Education
1522 pursuant to this chapter shall be increased by twenty-five per cent for a
1523 building constructed prior to 1950; (2) after January 1, 2004, any
1524 maximum square footage per pupil limit established pursuant to this
1525 chapter or any regulation adopted by the State Board of Education
1526 pursuant to this chapter shall be increased by up to one per cent to
1527 accommodate a heating, ventilation or air conditioning system, if
1528 needed; (3) for the period from July 1, 2006, to June 30, 2009, inclusive,
1529 for projects with total authorized project costs greater than ten million
1530 dollars, if total construction change orders or other change directives
1531 otherwise eligible for grant assistance under this chapter exceed five
1532 per cent of the authorized total project cost, only fifty per cent of the
1533 amount of such change order or other change directives in excess of
1534 five per cent shall be eligible for grant assistance; and (4) after July 1,
1535 2009, for projects with total authorized project costs greater than ten
1536 million dollars, if total construction change orders or other change
1537 directives otherwise eligible for grant assistance exceed five per cent of
1538 the total authorized project cost, such change order or other change
1539 directives in excess of five per cent shall be ineligible for grant
1540 assistance.

1541 (d) For any school building project receiving state grant assistance
1542 under this chapter, all change orders or other change directives issued
1543 for such project on or after July 1, 2008, shall be submitted, not later
1544 than six months after the date of such issuance, to the Commissioner of
1545 Education, in a manner prescribed by the commissioner. Only change
1546 orders or other change directives submitted to the commissioner in
1547 accordance with this subsection shall be eligible for state grant
1548 assistance.

1549 Sec. 25. Subsection (a) of section 10-264h of the general statutes is

1550 repealed and the following is substituted in lieu thereof (*Effective July*
1551 *1, 2011*):

1552 (a) [(1)] For the fiscal year ending June 30, 1996, until the fiscal year
1553 ending June 30, 2003, a local or regional board of education, regional
1554 educational service center or a cooperative arrangement pursuant to
1555 section 10-158a for purposes of an interdistrict magnet school may be
1556 eligible for reimbursement up to the full reasonable cost of any capital
1557 expenditure for the purchase, construction, extension, replacement,
1558 leasing or major alteration of interdistrict magnet school facilities,
1559 including any expenditure for the purchase of equipment, in
1560 accordance with this section. [(A)] For the fiscal year ending June 30,
1561 2004, [and each fiscal year thereafter, such entities, and (B) for the fiscal
1562 year ending June 30, 2008, and each fiscal year thereafter,] until the
1563 fiscal year ending June 30, 2011, the following entities that operate an
1564 interdistrict magnet school that assists the state in meeting the goals of
1565 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
1566 O'Neill, et al., as determined by the commissioner: [(i)] (1) The Board
1567 of Trustees of the Community-Technical Colleges on behalf of a
1568 regional community-technical college, [(ii)] (2) the Board of Trustees of
1569 the Connecticut State University System on behalf of a state university,
1570 [(iii)] (3) the Board of Trustees for The University of Connecticut on
1571 behalf of the university, [(iv)] (4) the board of governors for an
1572 independent college or university, as defined in section 10a-37, or the
1573 equivalent of such a board, on behalf of the independent college or
1574 university, and [(v)] (5) any other third-party not-for-profit corporation
1575 approved by the commissioner may be eligible for reimbursement up
1576 to ninety-five per cent of such cost. For the fiscal year ending June 30,
1577 2012, and each fiscal year thereafter, a project eligible for
1578 reimbursement under this section may be eligible for reimbursement
1579 up to eighty per cent of the eligible cost of such project. To be eligible
1580 for reimbursement under this section a magnet school construction
1581 project shall meet the requirements for a school building project
1582 established in chapter 173, except that the Commissioner of Education
1583 may waive any requirement in such chapter for good cause. On and

1584 after July 1, 1997, the commissioner shall approve only applications for
1585 reimbursement under this section that he finds will reduce racial,
1586 ethnic and economic isolation. On and after July 1, 2009, applications
1587 for reimbursement under this section for the construction of new
1588 interdistrict magnet schools shall not be accepted until the
1589 commissioner develops a comprehensive state-wide interdistrict
1590 magnet school plan, in accordance with the provisions of subdivision
1591 (1) of subsection (b) of section 10-264l, unless the commissioner
1592 determines that such construction will assist the state in meeting the
1593 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William
1594 A. O'Neill, et al.

1595 [(2) (A) Not later than July 1, 2007, the Commissioner of Education
1596 and the president of the Connecticut Science Center, Inc. shall enter
1597 into a memorandum of understanding establishing the parameters
1598 within which the center shall operate as and be given the status of a
1599 state-wide magnet science learning center. Upon achieving such status,
1600 the Connecticut Science Center, Inc. shall be eligible to apply for, in
1601 accordance with the provisions of subparagraph (B) of this
1602 subdivision, a grant of reimbursement of ninety-five per cent of any
1603 expenditures for the construction, replacement, alteration or repair of
1604 its facilities, including the reasonable and necessary costs for major
1605 exhibits. The Connecticut Science Center, Inc. may fund its five per
1606 cent share of expenditures from private contributions.

1607 (B) To be eligible to receive a grant pursuant to this subdivision, the
1608 Connecticut Science Center, Inc. shall file an application with the
1609 Commissioner of Education in such form and manner as the
1610 commissioner prescribes. Construction projects at the magnet science
1611 learning center shall meet the requirements of chapter 173, except that
1612 the commissioner may waive any requirements in such chapter for
1613 good cause.]

1614 Sec. 26. Section 10-283a of the general statutes is repealed and the
1615 following is substituted in lieu thereof (*Effective July 1, 2011*):

1616 A committee to review the listing of eligible school building projects
 1617 submitted pursuant to section 10-283, as amended by this act, shall be
 1618 appointed annually on or before July first consisting of eight persons
 1619 who are members of the General Assembly at the time of their
 1620 appointment as follows: Two persons each appointed by the speaker of
 1621 the House of Representatives, the minority leader of the House of
 1622 Representatives, the president pro tempore of the Senate and the
 1623 minority leader of the Senate. The listing of eligible projects by
 1624 category shall be submitted to said committee prior to December
 1625 fifteenth annually to determine if said listing is in compliance with the
 1626 categories described in subsection (a) of section 10-283, as amended by
 1627 this act, and existing standards established by the State Board of
 1628 Education pursuant to said regulations. The listing of eligible projects
 1629 shall include comments and recommendations from the Secretary of
 1630 the Office of Policy and Management for each eligible project on the
 1631 list. The committee may modify the listing. [if it finds that the
 1632 Commissioner of Education acted in an arbitrary or unreasonable
 1633 manner in establishing the listing.] Such modified listing shall be in
 1634 compliance with said standards and categories. Prior to February first
 1635 annually, the committee shall submit the approved or modified listing
 1636 of projects to the Governor and the General Assembly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	10-217a(i)
Sec. 2	July 1, 2011	10-281(b)
Sec. 3	July 1, 2011	10-71(d)
Sec. 4	July 1, 2011	10-17g
Sec. 5	July 1, 2011	10-66j(f)
Sec. 6	July 1, 2011	10-76d(e)(2) and (3)
Sec. 7	July 1, 2011	10-76g(d)
Sec. 8	July 1, 2011	10-253(b)
Sec. 9	July 1, 2011	10-264l(c)(3)(E) and (F)
Sec. 10	July 1, 2011	10-264l(o)
Sec. 11	July 1, 2011	New section
Sec. 12	July 1, 2011	New section

Sec. 13	<i>July 1, 2011</i>	10-266aa
Sec. 14	<i>July 1, 2011</i>	New section
Sec. 15	<i>July 1, 2011</i>	10-264i
Sec. 16	<i>July 1, 2011</i>	10-266m(a)
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>July 1, 2011</i>	10-262i
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>July 1, 2011</i>	New section
Sec. 21	<i>July 1, 2011</i>	10-283
Sec. 22	<i>July 1, 2011</i>	10-284(a)
Sec. 23	<i>July 1, 2011</i>	10-285a(a)
Sec. 24	<i>July 1, 2011</i>	10-286
Sec. 25	<i>July 1, 2011</i>	10-264h(a)
Sec. 26	<i>July 1, 2011</i>	10-283a

ED*Joint Favorable Subst. C/R*

APP